

# EXHIBIT C

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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In re:

CARITAS HEALTHCARE INC.,

Chapter 11

Case No. 09-40901-CEC

Debtor.

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KATHLEEN CURRY, on behalf of herself, and  
JOHN WAAGE and RISA KAISER on behalf of  
themselves and all others similarly situated,

Plaintiffs,

v.

ADV. PRO. 09-01039 (CEC)

CARITAS HEALTHCARE INC.,

Defendant.

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**[PROPOSED] ORDER**

**CERTIFYING A CLASS AND GRANTING RELATED RELIEF**

AND NOW, upon consideration of the stipulation of the parties, the proposed Notice, and  
the Court being otherwise advised in the premises, it is hereby

ORDERED AND DECREED that a class is certified comprised of the Plaintiffs and the  
other former employees of Defendant consisting of a subclass (under the federal WARN Act) of  
persons (i) who were employed by Caritas and were terminated without cause on or about  
February 17, 2009, within 30 days of February 17, 2009, or in anticipation of or as the  
foreseeable consequence of a "mass layoff" or "plant closing," as defined by 29 U.S.C.  
§ 2101(a)(2) and (3) (without any concession by the Defendant that such an event has  
occurred) ordered by Defendant on or about February 17, 2009, and who are "affected  
employees," within the meaning of 29 U.S.C. § 2101(a)(5), and (ii) who have not filed a timely

request to opt-out of the class, and (iii) who were not members of Local 1199 SEIU, Local 144 or NYSNA; and a subclass (under the New York WARN Act) of persons (i) who were employed by Caritas and were terminated without cause on or about February 17, 2009, within 30 days of February 17, 2009, or in anticipation of or as the foreseeable consequence of a "mass layoff" or "plant closing," as defined by NYLL § 860-a(4) and (6) (without any concession by the Defendant that such an event has occurred) ordered by Defendant on or about February 17, 2009, and who are "affected employees," within the meaning of NYLL § 860-a (1), and (ii) who have not filed a timely request to opt-out of the class, and (iii) who were not members of Local 1199 SEIU, Local 144 or NYSNA; and it is;

FURTHER ORDERED that the Class described above meets the requirements of Fed.R.Civ.P. 23; and it is

FURTHER ORDERED that Outten & Golden LLP, is appointed class counsel; and it is

FURTHER ORDERED that Plaintiffs John E. Waage and Risa Kaiser are hereby appointed Class Representatives; and it is

FURTHER ORDERED that the proposed form of Notice to the Class submitted to the Court is approved; and it is

FURTHER ORDERED that within ten (10) days after the entry of this order (CEC), Defendant shall provide Class Counsel with the names and addresses of the class members as noted in Defendant's records; and it is

FURTHER ORDERED that on or before ten (10) days after receipt from the Defendant of the names and addresses of the Class members, Class Counsel shall provide notice of the pendency of the class action lawsuit by mailing the Notice, First Class postage prepaid, to each employee of Defendant who falls within the definition of the class, to their last known address as noted in the records of the Defendant; and it is

FURTHER ORDERED that within 7 days (CEC) after such mailing, Class Counsel shall serve and file a sworn statement affirming compliance with this Order concerning the mailing of the Notice; and it is

FURTHER ORDERED that Class Counsel shall serve and file a sworn statement listing the names of any persons who have opted out of the Class; and it is

FURTHER ORDERED that Notice in compliance with this order is hereby found to be the best notice practicable under the circumstances and constitutes due and sufficient notice to all class members in full compliance with the notice requirements of Fed.R.Civ.P.23.

AND IT IS SO ORDERED.

**Dated: Brooklyn, New York  
January 21, 2010**



  
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**Carla E. Craig**  
**United States Bankruptcy Judge**